



## Board of Adjustment Case Report

City of Raleigh  
Department of City Planning  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2626  
www.raleighnc.gov

**Case File:** A-81-17

**Property Address:** 123 Idlewild Avenue

**Property Owner:** Stuart Cullinan

**Project Contact:** Isabel Mattox

**Nature of Case:** A request for a 5' variance in the side street setback pursuant to Section 2.2.1. of the Unified Development Ordinance in order to construct a detached house that results in a 5' side street setback on a .05 acre parcel zoned Residential-10 and Neighborhood Conservation Overlay District located at 123 Idlewild Avenue.



**123 Idlewild Avenue – Location Map**

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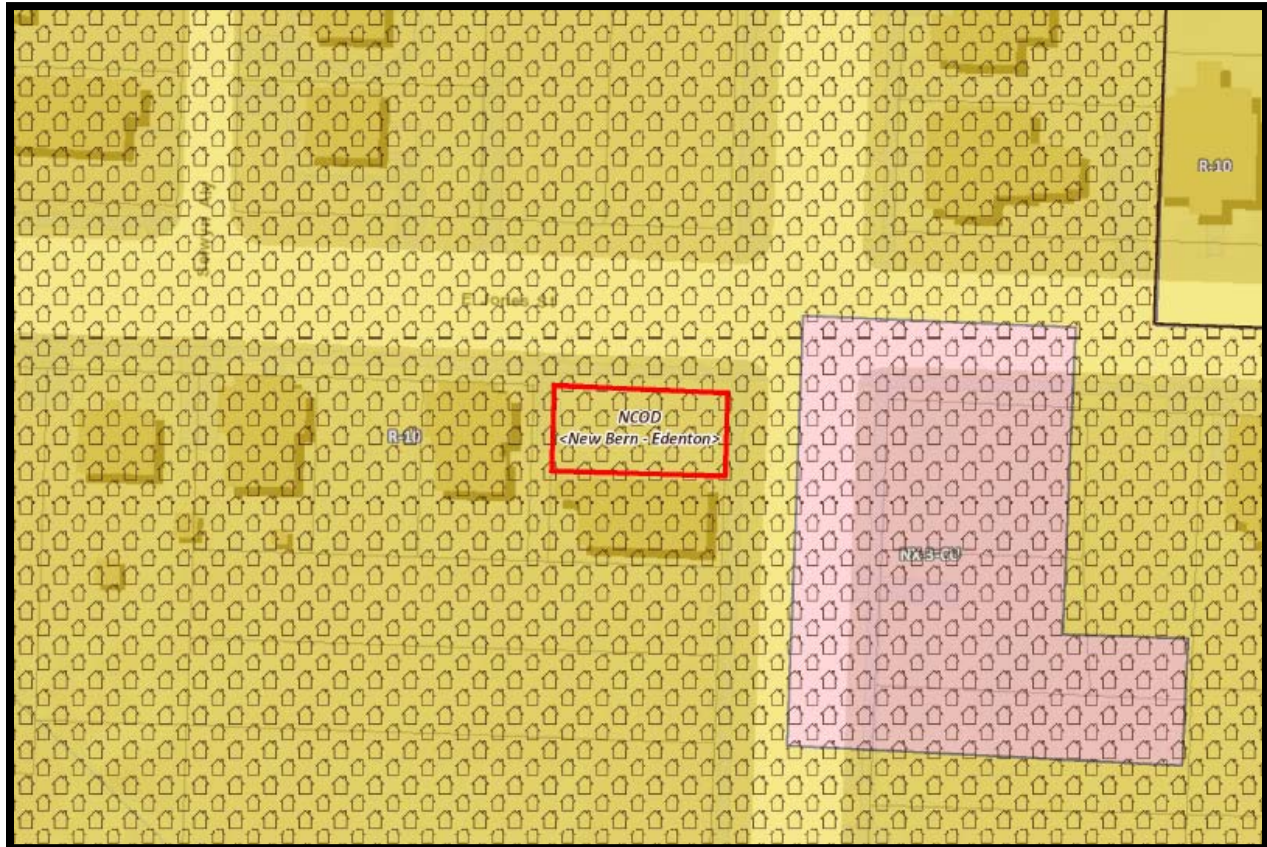
**To BOA:** 6-12-17

**Staff Coordinator:** Eric S. Hodge, AICP

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**ZONING**

**DISTRICTS:** Residential-10 and Neighborhood Conservation Overlay District (New Bern-Edenton)



**123 Idlewild Avenue – Zoning Map**

**VARIANCE STANDARDS:** In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions

that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

**Zoning District Standards:** The subject property is zoned Residential-10 and Neighborhood Conservation Overlay District (New Bern - Edenton).

**Residential-10:  
Lot Dimensions**

Area (min)	4,000 SF
Width – interior lot (min)	45
Width – corner lot (min)	60'
Depth -	60'

<b>Yard Type</b>	<b>Minimum Setback</b>
Primary Street	10'
Side Street	10'
Side	5'
Sum of Sides	10'
Rear	20'

**Neighborhood Conservation Overlay District (New Bern - Edenton)**

- a. Minimum lot size: 4,000 square feet.
- b. Minimum lot frontage: 30 feet.
- c. Front yard setback: Minimum of 10 feet, maximum of 25 feet.
- d. Side yard setback: Minimum of 0 feet when minimum building separation is met.
- e.. Building separation: Minimum of 10 feet.

f. Maximum building height: 35 feet

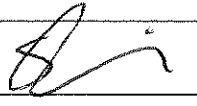

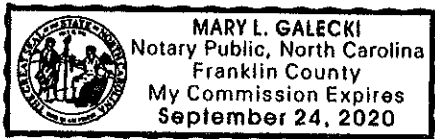
# Application for Variance



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
Nature of variance request (if more space is needed, submit addendum on separate sheet):  See attached Exhibit A.	Transaction Number  A-81-17
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

GENERAL INFORMATION		
Property Address 123 Idlewild Avenue		Date May 12, 2017
Property PIN 1713099753	Current Zoning R-10 with NCOD	
Nearest Intersection N. Jones St. and Idlewild Ave.		Property size (in acres) 0.05 acres
Property Owner Stuart Cullinan	Phone	Fax
Owner's Mailing Address 310 Heck St., Raleigh, NC 27601-1214	Email	
Project Contact Person Isabel Worthy Mattox	Phone 919-828-7171	Fax 919-831-1205
Contact Person's Mailing Address PO Box 946, Raleigh, NC 27602	Email Isabel@mattoxfirm.com	
Property Owner Signature  Stuart Cullinan	Email	
Notary Sworn and subscribed before me this <u>11<sup>th</sup></u> day of <u>May</u> , 20 <u>17</u>	Notary Signature and Seal  	

## EXHIBIT A

123 Idlewild Avenue, Raleigh

Applicant requests a 5' variance in the side street setback. The subject property is zoned R-10 with the New Bern-Edenton NCOD. R-10 and the NCOD both specify a 10' minimum front setback. R-10 requires a 10' side street setback but the NCOD is silent as to a side street setback.

The variance request is based on the hardship condition that the lot is very small. It contains only 2,311 square feet and is only 33.5' wide. Therefore, if the side street setback is maintained at 10' and a 6' side setback is maintained to ensure a 10' minimum building separation that would allow a building width of only 17.5 feet. A 5' variance would allow a building width of 22.5' which will accommodate a much more functional house.

It is important to understand the context of this neighborhood. There are a number of homes which do not maintain a 10' setback off the side street.



1713099760  
DUNN, GEORGE SR DUNN, DANZIE B  
119 IDLEWILD AVE  
RALEIGH NC 27601-1215

1713098588  
JOYNER BUNN INC  
PO BOX 773  
KENLY NC 27542-0773

1713098693  
STEPHENSON, JOSEPH H  
115 IDLEWILD AVE  
RALEIGH NC 27601-1215

1713098697  
KORDULEWSKI, SARAH  
117 IDLEWILD AVE  
RALEIGH NC 27601-1215

1713098712  
QUESINBERRY, ABIGAIL  
910 E JONES ST  
RALEIGH NC 27601-1224

1713098752  
HILL, KELLY I  
916 E JONES ST  
RALEIGH NC 27601-1224

1713098792  
HESTER, ELIZABETH B  
920 E JONES ST  
RALEIGH NC 27601-1224

1713098855  
HICKS, JEFFREY F HICKS, BEVERLY G  
HARRIS  
1141 WILL SUITT RD  
CREEDMOOR NC 27522-9160

1713099753  
CULLINAN, STUART  
310 HECK ST  
RALEIGH NC 27601-1214

1713099837  
SUTTON, CLIFTONIUS D  
925 E JONES ST  
RALEIGH NC 27601-1203

1713099877  
AHEARN, STEVEN B  
929 E JONES ST  
RALEIGH NC 27601-1203

1713191606  
THIBODEAU, JANE  
128 IDLEWILD AVE  
RALEIGH NC 27601-1216

1713191621  
SUTTON, KATHRYN R.  
124 IDLEWILD AVE  
RALEIGH NC 27601-1216

1713191701  
RENZO, CARLEY  
132 IDLEWILD AVE  
RALEIGH NC 27601-1216

1713191814  
COTHRAN, SAMRA HARCHY, ABDELILAH  
5224 OLD FORGE CIR  
RALEIGH NC 27609-4024

1713191669  
WINSTON, TYLER  
1004 E JONES ST  
RALEIGH, NC 27601-1268

1713191819  
WHITAKER, DOROTHY M  
3109 ROCK QUARRY RD  
RALEIGH, NC 27610-5111

1713098950  
SHACKLETON, SCOTT P  
318 SEAWELL AVE  
RALEIGH, NC 27601-1244